



# Republican Policy Committee

Don Nickles, Chairman    Doug Badger, Staff Director    347 Russell Senate Office Building    (202)224-2946    <http://www.senate.gov/~rpc/>

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## Senators Spell Out Environmental Agenda on Earth Day

A practical, workable environmental agenda was presented on the Senate floor by U.S. Senators Coverdell, Thomas, Brown, Bennett, Kempthorne, Grams, Kyl, and Smith on Earth Day 1996 — April 22. Their statements, as published in the *Congressional Record*, are attached.

The Senators made a number of important points, including these:

- The vast improvements made in the environment over the past 20 years are real and documented. As our air and water become cleaner, we need to refine our quarter-century old laws and approaches. The government needs to be more efficient and more effective, and be allowed to exercise common sense in continuing to make our nation an even safer and cleaner place to live. The federal government must treat state and local governments and private landowners and businesses as partners in this effort, not as enemies.
- The challenge in charting the environmental course in the 21st century is striking the balance between a safe environment and a sound economy. The Safe Drinking Water Act demonstrated the need for involving state and local governments by setting national standards, but allowing for flexibility to fit standards to the community. The current Superfund project is more focused on process than results, on litigation rather than cleaning up the sites. Government ought to protect the environment, but it should also be able to set goals and standards, then step back and let American ingenuity find a better, cheaper, and more effective means of reaching them.
- The Farm Bill is recognized as one of the most important pieces of conservation legislation in decades. The American Farm Bureau describes it as "the most environmentally responsible farm legislation in history." The Farm Bill initiates a real partnership between federal, state, and local governments and farmers — a roadmap for helping the environment. Coordinated resource management (CRM) finds solutions and success to the problems of public lands management by requiring cooperation without the crushing burdens of bureaucratic red tape.

Staff Contact: Judy Gorman, 224-2946

[See attached *Congressional Record* statements]

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EARTH DAY AND THE  
ENVIRONMENT

Mr. COVERDELL. Mr. President, as we all know now, today is Earth Day, a day dedicated to remembering our commitment to the environment, to the future, a commitment on the part of every generation of Americans to assure that those who come behind us will not be jeopardized by contemporary actions and, better, that those who follow us will have the opportunities to enjoy a healthy environment—an environment in which recreation can be pursued, an environment in which future generations will not be troubled by the water they drink, by the air they breathe, by the environment in which they live.

There has been a lot of rhetoric in this 104th Congress, finger pointing about who is for the environment and who is not for the environment. I do not know anybody who is not for an improved environment; at least I have not met them.

In all the discussion, though, a little-told story is that this Congress has passed one of the most historic pieces of environmental legislation in the history of our country. I will quote from F. Graham Liles, Jr., who is executive director of the Georgia Soil and Water Conservation Commission. It is a letter addressed to me dated April 11, 1996. He says:

With regard to the new Farm Bill, I feel this is probably the strongest conservation legislation to have been signed in decades.

I do not believe that, when we were considering the farm bill, it was generally acknowledged that that legislation is monumental environmental legislation that this Congress can take credit for, that it will be a legacy of the 104th Congress. Yes, the farm bill

does bring about monumental change in marketing reforms, in flexibility in terms of farmer planning, vast savings in these Government programs. But the untold story is the environmental effect of the legislation.

Another general thought—I am going to describe some of these achievements, but this is the kind of environmental legislation that is logical, that in my judgment creates the appropriate balance between the stewards of the land and public policy. It is characterized by a word called "partnership." I do not think we can say this is the case in each of our environmental laws. But here in this new farm bill the concept of partnering, shared responsibility, working together to produce a positive result is well rooted in the legislation. Therefore, it can become a benchmark, a guide, something to point to in terms of the manner in which we should design future legislation designed to protect the environment.

Under the farm bill conservation title, as I said, the bill is hailed by many, including the American Farm Bureau, as "the most environmentally responsible farm legislation in history." In the State of Georgia, the soil and water conservation commission, as I just quoted, calls it the strongest conservation legislation to have been signed in decades.

Under the conservation title, it reauthorizes the following programs:

**The Conservation Reserve Program.** Under this program landowners idle highly erodible farmland in exchange for payments—partnership. This is the Government working with the stewards of the land. Under this program soil erosion rates in my State of Georgia have dropped 50 percent. The Speaker often refers to producing effect more than effort. This is effect—reducing erosion rates in Georgia by 50 percent. And 36.5 million acres of sensitive farmland nationwide is being protected under the Conservation Reserve Program.

We hear a lot of discussion about wetlands and our desire to protect them. This new farm bill focuses on wetlands. Under this provision of the bill, farmers enter into cooperative easement arrangements with the Government. Once again, Mr. President, partnership. Generally, permanent or 30-year easements are arranged and a farmer is compensated. It is a cooperative arrangement. Under these provisions, we will protect nearly 1 million acres of wetlands nationwide.

**Fish and Wildlife Service oversight** is replaced by State technical committees. We are moving the decisions to the States.

**The Forestry Incentive Program.** Farmers are provided with cost share agreements with the Department of Agriculture designed to plant trees on private land. The program is simple—incentives to plant more trees. In my State, we have over 800 participants. We have planted over 10,000 acres of

new trees. That is just Georgia alone; 10,000 acres of new trees. This program has put trees on land that would have ordinarily been used for other purposes.

New programs that were authorized in this bill:

**The Environmental Quality Incentive Program, the EQIP program.** This is the cornerstone of the conservation title for soil and water quality restoration and enhancement. Its highlights are: The program targets \$1.2 billion over 7 years to assist crop and livestock producers in building environmental improvements on the farm, including animal waste facilities, grass waterways, filterstrips, and other practices geared toward land preservation.

**Mr. President, partnership.** Here, again, in each one of these titles we see a new roadmap to the work on the environment, working with, as partners and facilitators, stewards of the land itself.

**Farms for the Future Program.** This program will provide \$35 million to buy easements on prime American farmland in areas where they are threatened. Some of the best farmland is being swallowed by development. This program understands that and tries to ease the burden of the development. This money will protect our country's best farmland from urban sprawl and will preserve it for future generations, as I said a moment ago, trying to preserve and keep for our future generations historical and environmentally sound areas for them to visit and study and review.

**Wildlife Habitat Enhancement Program, the WHEP Program.** You have to have an acronym for everything here. The WHEP Program will provide \$10 million per year for cost-share payments to farmers who improve their wildlife habitat for upland and wetland wildlife. Again, partnership, Mr. President, working with the stewards of the land. This is especially important for States like mine with extensive bird and riparian populations. This is a win-win for naturalists and sportsmen alike.

**The Florida Everglades restoration.** Congress has resolved to clean up the Florida Everglades by providing \$200 million for acquisition, easements, and other restoration activities. Congress here, instead of talking, has taken action by cleaning up the Everglades. This method of cleanup will allow farmers to survive and will repair the land in a unique partnership.

So, Mr. President, I reiterate that we have created in this historic piece of legislation conservation efforts, efforts to protect wetlands and include wetlands in the reserve. Forestry, the planting of new trees, the protection of environmental quality, the Farms for the Future Program, wildlife habitat and the Everglades—all of these environmental programs are encompassed in the new farm bill. This is a new historic piece of legislation, not only with regard to the farm programs, but with

regard and with the intent to partner with the stewards of the land, these great protectors of the land, because no one has a greater interest in protecting the environment than our farming and agricultural community.

This is the stamp that demonstrates that very fact.

Mr. President, in the debate with regard to environmental legislation, as I said when I made an opening statement, there is a lot of rhetoric that follows the environment. It is often politicized extensively. We do, as I said in scoping out the word "partnership" have to be conscious of a balance between protecting the environment and protecting the fundamental rights of the owners of our land, of securing an appropriate balance in terms of the burden and costs of the environmental legislation. We cannot ignore the fact that some of our work in the environment has posed great questions for us with regard to cost and logic.

Some of the bureaucrats, some of the regulators, in my judgment, have forgotten this concept we call partnership. They are in the business of imparting a word that was more reminiscent of arrogance, bossism, pushiness. Let me just give a couple of examples of the kind of thing that I think most Americans find illogical.

There is a gentleman by the name of Junior Childress. He is from Alabama. He has a radiator repair store. He thought he could be environmentally correct and start a nest egg at the same time when he took a load of car batteries to Interstate Lead Co. for recycling in 1985. Here we have a radiator repairman. He took several batteries to the Interstate Lead Co. in 1985 and sold them to this other company for the monumental sum of \$337.50. I repeat, he sold a handful of batteries to this other company for \$337.50—an absolutely legal transaction, normally.

Subsequently—and by subsequently, I mean 9 years later; 9; a decade later—this company, Interstate Lead Co. was determined to be a Superfund site which alleged that they had not managed toxic material appropriately. They came under the scope of the Superfund cleanup. The problem is that the owner of Interstate Lead Co. had left the country in the decade and was residing somewhere in Germany. So under our new regulatory system they go through the transaction records and find everybody who has ever done business with this outfit and put them on a liability list. If the person responsible for it does not have the resources or has disappeared or died then we start going through the records and seeing anybody that ever did business with this Interstate Lead Co.

Lo and behold, 9 years ago, Junior Childress sold them \$337.50 worth of batteries, and because of that, 9 years later, finds himself and his family liable—liable—for the full responsibility, which is \$90 million. That is not a very good financial transaction—\$337.50; now he is on the hook for \$90 million—

he and 900 other people who were interacting and selling goods to this company.

This is the kind of illogical conclusion that, in my judgment, has done so much damage to the environment, because it makes people cynical. It makes them lose faith. Everybody who reads this story is going to say, "My heavens, what logic could there be in this? How in the world will we go back and unload on this man who sold a handful of batteries to this company 9 years ago," and wrap the arms of the Government around him and cause him to bear the burden of this liability?

I happen to know an individual in my own State who is in the business of recycling, recycling metal, recycling other goods, who has experienced this same threat. This company, no need to name it, is 100 years old. It is 100 years old. That family has been doing business in Atlanta, GA, for 100 years. They are as good a public citizen as you will ever meet. They are committed at every level of the community. They are good citizens. They are good stewards. They are good business people. Their company, after a century of operation, is at risk, all of their savings, all that they have built, all that they have stored, all of their work is at risk, for an incident just like this.

It is this kind of illogical behavior that is at the core of people asking us to change some of the way we manage our pursuit of a sound environment. This man, Junior Childress, my friend in Atlanta, GA, should not be staring down a double-barreled shotgun called the U.S. Government. They simply do not have any liability here. They have been good stewards. They did things the way they thought they should be done. Yet they are at risk.

It is this kind of illogical behavior—this does not help our pursuit of cleaning the environment, Mr. President. This hurts. I just described the farm bill and the logical flow of events between stewards and the Government. That helps. That produces a better environment. This hurts.

Mr. President, I see I have been joined by my good colleague from the State of Wyoming. I am going to yield up to 10 minutes to my colleague, the Senator from Wyoming.

Mr. THOMAS. Mr. President, I appreciate our colleague bringing us to the floor to talk today about the environment. Certainly, this is Earth Day, and we ought to talk about it.

We just have one Earth and one planet. There is more and more of us and we have the same amount of space. Clearly, we will have to pick up after ourselves. I suspect there is no one in this body, and indeed, very few anywhere, who would not agree with that.

There are differing views of the best way to do it, of course, to provide a healthy environment. There are questions of who should do it. Should it be left entirely to the central Government, to the Federal Government? Should we take advantage of the State

and local expertise? Should there be incentives for the private sector to perform? Those are the kinds of questions that I think we need to be asking.

There should be questions about the balance between use and the economy and the environment, and how we have jobs and how we protect the environment at the same time. There is reason to disagree on those kinds of things. There is a question of whether or not there should be congressional oversight of the statutes of laws that have been passed. Many of them—indeed most of them—passed 20 years ago. Or whether or not there should be opposition to every effort to restructure some of these laws and, indeed, to sort of demonize every effort as if it is going to be gutted or rolled back when, in fact, the effort is to take a look at a bill that has been in place for 20 years and see if there are better ways to do it, to see if it could be done more efficiently. That is what it is about.

I am sorry there has been this sort of politicizing of this issue in this Congress. I think it is appropriate that we use Earth Day not just to look at the past environmental successes but to look to the future as well. The successes have been numerous, to say the least. You would not know it by the kind of "Chicken Little" rhetoric that comes from, I think, environmental extremists who would rather scare folks than deal with the facts. I hope we can stick with the facts. We do not do enough of that here. There is too much overstatement about "gutting" and "rolling back" when that is really not what is happening.

Look how far we have come since Earth Day in 1970. Our rivers, lakes and streams are vastly improved. The Potomac is a good example. It was a wasteland 20 years ago, and now families fish there on the weekends. I suppose we all come from a little different life experience. I grew up in Wapiti, WY, which I am sure you all have heard of. It is just a post office and a school halfway between Yellowstone Park and Cody. It is called by some the "most scenic 50 miles in the world." And it could be. In fact, we had the last place next to the forest, and all around us were wilderness areas. I do not think there is anybody who has a stronger feeling or a caring for the environment than I do coming from there.

On the other hand, you may have come from a city where there was excessive pollution, and that is your experience. But now our air is cleaner, according to EPA. Particulate matter emissions have been reduced 60 percent. VOC's have been reduced 25 percent. Carbon monoxide has been reduced 40 percent. Lead emissions have been reduced by 96 percent. All emissions have been reduced by a third. That is great.

Wildlife populations are increasing, such as the bald eagle, white-tailed deer, elk, moose, bighorn sheep, and wild turkey. Simply put, the environment is cleaner now than at any time

in the last 50 years. Americans are living longer and healthier because of that. We can be very proud of that. Both Democrats and Republicans have been a big part of this success during the 26 years since the first Earth Day. For 18 of those years, there was a Republican President in the White House. So we can all share in this movement forward on a nonpartisan issue.

However, despite all that we have done, we still have some things to address, certainly. Unfortunately, we are now trying to solve 21st century environmental problems with laws designed a quarter of a century ago. One of the areas in which I happen to be involved is endangered species. I do not know of anybody that does not want to protect endangered species. Certainly, I do, and everybody I know on our committee wants to do that. It has been up for reauthorization now for 3 years. It has not been reauthorized. It is not doing as well as it might be. It is not doing as well because we need to do something about peer review for science.

I went to a hearing out west, and we had scientists from both sides of the issue, from lumber people to environmentalist scientists, and you would never know they were talking about the same thing. If you want science to be the basis, we need to change that. We need peer review. We need to set priorities. There is a finite amount of money, so which of these endangered species do we put our money into. Are they all equally valuable? I do not know.

We have to do something to encourage private landowners to be more interested in endangered species. Now, frankly, in my State, if someone discovers an endangered species on their ranch or property, they are hesitant to know about it, because it might mean you cannot use your property for anything else. We need to find a way so that private owners can say, "Let us work on that."

So we have to update these things. That is what we are seeking to do. But this year, unfortunately, every time we take a look at how we might change it and make it more effective and efficient, then we are confronted with this "we are going to save you" idea. Frankly, the administration has led that. Regarding everything that has happened, the President is going to "save you" from those crazies in the Congress.

We have to start using some facts and we have to start really dealing with what the issues are. And I hope that this Earth Day will cause us to help do that. I think we can utilize the vast expertise local people have. All of these efforts will help us. I think there has to be, obviously, some balance. There are different kinds of environmental places, of course—parks and wilderness and forests—and many of those things should be set aside for single use. But the vast majority of Federal lands should be managed for multiple use. I am thinking about the

West, particularly, because that is where I am from. Those are multiple use lands and we can find a balance between jobs, the economy, and protecting the environment; I am confident of that. It does not have to be one or the other. That is what we are seeking to do.

Superfund legislation. I am, frankly, disappointed. It is designed, of course, to clean up sites that have hazardous waste. We have spent billions of dollars, mostly that comes from a tax, to do that job. Do you know what most of it has gone for? Litigation. Lawyers and courtrooms. That is where the money has gone. A great deal of it comes from insurance policies for people involved. Someone said that nearly 90 percent of that money has gone to legal activities, not cleaning up the sites. That is what we really need to do.

So there has been a status quo opposition almost at every turn. I hope we get by that. I think there has been some deliberate misleading of people. This idea of somehow we are going to poison the children is silly. I am just as interested in my children as Carol Browner is or as Vice President GORE is. So we ought not to be talking about that. Some of that stuff is downright misleading.

The idea that one political party cares more about the environment than the other is laughable. We all live here together. We need to make some changes. I hope we can upgrade the Superfund in the next few months and that we can do something about the Endangered Species Act, Clean Water Act, and the Safe Drinking Water Act. We are ready to do that. We need to get the bogeyman out of the closet and quit talking about the sky is falling and take a real factual approach to making these things work better. We, indeed, can do that.

So, Mr. President, thanks to the efforts of lots of folks in this country, thanks to the efforts of people who care about the environment, the sky is not falling, it is in pretty good shape. We need to take care of it. We have some responsibility. Every citizen has some responsibility and we can do that. I am glad it is Earth Day. I look forward to this country being in even better shape next Earth Day, and all of us need to contribute to do that.

I yield the floor.

Mr. COVERDELL. Mr. President, I thank my colleague from Wyoming, and I appreciate his remarks. The exact figure on the Superfund is \$25 billion that has been spent, and we have corrected 12 percent of the problem. So that is an issue in and of itself.

At this point, I yield up to 5 minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BROWN. Mr. President, I rise with great pleasure on Earth Day. Environmental legislation has been one of the most enjoyable areas of legislation in the 16 years I have had in Congress

and the 4 years that I served in the Colorado State Senate.

I was a sponsor of Colorado's conservation trust fund, a measure that set money aside to be used to purchase open space, preserving it for future generations. We, in Colorado, prize our environment and our open space and are determined to make sure we do not repeat the mistakes of the east coast and west coast, as they have seen cities grow together without adequate open space. It could only be done through a positive program. That is why the Colorado trust fund was such a monumental effort—not because the money is as great as we would like—it is not, but it is growing. It represents a positive step for the environment. Instead of saying "no," we can say "yes."

I am convinced that real environmental progress is going to be a product of saying "yes," of thoughtful and assertive action that does positive things, not just negative things. I am a sponsor of the minimum stream flow statute, sought to recognize minimum stream flow as a proper use of water and recognize it as a property right in the State. It is a fundamental step toward adding minimum stream flow to all of our streams.

Mr. President, on the national level, one of the most enjoyable things I have done are three additions to the Rocky Mountain National Park. The Rocky Mountain National Park is perhaps one of the most beautiful areas in the entire world, and it attracts literally millions of visitors every year.

Tragically, in recent years, Democratic Congresses have dramatically increased the cost of entering the park so that it becomes a preserve for only those who can afford to enter it rather than the poor. It has been a tragic mistake, in my view, because Democratic Congresses' actions have served to restrict young people who may not be wealthy from having an opportunity to visit that park. Our natural wonders of beauty, I believe, should be available to all Americans.

Mr. President, I am the sponsor in Colorado of the only wild and scenic river, the Cache La Poudre River. It was with great pride that we put it together. It was a compromise between those who use the river and those who enjoy it from an environmental and scenic point of view. It set aside areas where water storage can be added, which is important for preserving our water quality and our water flow in the State. But it also set aside specific large portions of the river for wild, recreational, and scenic uses.

Mr. President, I am the sponsor of three studies on the Cache La Poudre River examining a portion of the river to be included as a national heritage area. Before this Congress right now is a bill that I have worked on for more than a decade. The Cache La Poudre River National Water Heritage Area bill is one that will set aside the flood plain of the Cache La Poudre River as it flows down from the mountains

through Fort Collins and through Greeley just below the areas that are designated as wild and scenic.

It is a wonderful opportunity because through land exchanges—that is, taking land that is declared surplus in the State owned by the Federal Government and exchanging it for ownership in the flood plain—we can preserve the area in the flood plain along an important stretch of river that, if no action is taken, will become city within two to three decades. Literally, we have the chance to do what they wished they had done in New York or what they wished they had done in San Francisco or what they wished they had done in Los Angeles—leave open space and beauty.

Mr. President, I have been shocked at the very partisan nature of some of the attacks by Democratic Members on this floor upon Republicans. I cannot help but reflect that this bill, which has unanimous support at home from both Democrats and Republicans, appears to be in jeopardy of dying simply because of the actions of the Democratic Senator from New Jersey, who put a hold on the bill for months and months, and may well have achieved killing it. It is an environmental bill. I must say I cannot understand the action of that Democratic Senator and why he would want to kill it. But to claim that interest in the environment falls along partisan lines is just silly. It is widely shared by all Americans, and it is why we honor this day.

I am convinced that we have to take strong, bold, affirmative action if we are to do our part. Simply saying no is not enough.

Mr. President, most important of all, refusing to look at the statutes that have been passed with an eye to improving them is not enough either. No one can look at the Superfund and not be ashamed of what has happened. Ninety percent of the money that was spent on the Superfund, money designed to clean up our environment, is spent for lawyers and process costs. That is a disgrace. Anyone who comes to this floor and decries the efforts to reform Superfund simply has not taken the time to look at it or does not genuinely care about the environment, and I know that cannot be true.

The reality is we need to use that money in the Superfund to clean up the environment—not simply pay lawyers. The actions with regard to environmental reform should not be dictated by trial lawyers who donate large amounts of money to political campaigns. They ought to be dedicated in our interest and our need to reform and improve the environment.

Mr. President, I yield the floor.

[Disturbance in the Visitors' Galleries.]

The PRESIDING OFFICER. The Chair will note that no demonstrations are allowed from the galleries.

Mr. COVERDELL. Mr. President, I yield 10 minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah.

HOLISTIC RESOURCE MANAGEMENT, EARTH DAY  
1996

Mr. BENNETT. Mr. President, I am delighted to join with my colleagues in commenting on Earth Day and, I hope, adding some information and perspective to the debate on Earth Day that will move in the direction that will be good for our country as a whole.

Mr. President, I appreciate the opportunity to speak on this 26th anniversary celebration of Earth Day. Many natural factors influence grazing on western public lands, with precipitation or the lack thereof probably being the single most important one. Without moisture, and specifically, moisture falling at the correct time, the amount of potential forage can be severely impacted. We can try but there is usually little, outside of asking for divine intervention, that humans can do to influence natural events. But we can change perceptions about public land grazing. We can manage the conflict that arises based on these perceptions. Never before in the history of this country has there been an issue so divisive, emotional and surrounded by perception, myth and hysteria as the issue of western public land grazing. Yet there are solutions; solutions that can solve conflict through planning, science, consensus, and shifting from traditional paradigms.

I speak to you today about a solution that has my support. It blends new ideas about natural resource management, planning and science with a healthy dose of old-fashioned hard work and common sense. Coordinated resource management is not about the management of grazing; any issue that has polarized western public land managers, public land users and lawmakers. CRM is a process that offers solutions to natural resource problems, requiring the cooperation of landowners, Government agencies, and other interested individuals and groups. Coordinated resource management is a voluntary and cooperative solution to natural resource management issues. CRM is based on the work of many, but notably the work of Allan Savory culminated in his book "Holistic Resource Management."

Conflict about management and use of western public lands has festered for years especially over multiple uses on lands managed by the Bureau of Land Management. This low profile agency, often overlooked by most Americans, has become the focus of intensive battles over the variety of uses it manages. Western public lands have gone from being the lands that no one wanted, to lands targeted by special interest groups for designation or special uses. This has been done without regard for traditional uses of the land and the families and industries that have adapted to the use of these lands. Conflict between users perceptions about management and the future of western public land agencies are the issues.

These can be resolved by careful implementation of coordinated resource management.

Using the best efforts of local people, private landowners, interested Federal, State, local and State agencies, CRM integrates and coordinates resource uses to accomplish specific goals. The process is designed to achieve comparability between land and resources uses. There are a number of success stories world wide where CRM has been used to solve resource management issues. In my State, one of the notable examples is the Desert Ranch in north-eastern Utah. Once a ranch troubled by apparent downward trends in forage production, conflicts with wildlife, incidents of extreme erosion, and degraded riparian areas, it is now a model of natural resource management efficiency. After implementing a holistic or coordinated resource Management plan, the ranch now graze more livestock than it has traditionally and produces some of the finest big game hunting in the West. Cattle have been used at such intensities as to make traditional private and public land range managers blanch. In most instances several hundred more cattle than normal graze pastures, which rebound with dramatic increases in forage production. Riparian areas have improved significantly, after being grazed at such intensities, to the point that streams are stocked by naturally breeding populations of trout instead of the Utah Division of Wildlife resources. Compare this to adjacent public and private lands where decreases in the numbers of livestock are almost annual, and where erosion and over grazing impact riparian areas and their value. Why this dramatic difference? Hard work, vision and a coordinated resource management plan. There are many other successes, especially tied to grazing. But the value of CRM is that the process can be applied to almost any resource management issue including the designation of wilderness.

CRM addresses the dilemma of managing areas with multiple use ownership, conflicting management objectives and requirements, conflicting land-use demands and off-site impacts. The overall goal of coordinated resource management is to serve as a vehicle to reach agreement on natural resources issues that will improve natural resources values for all users and to promote quality natural resource management through collaborative efforts. In other words, if people come to the table with the goal of reaching consensus, regardless of the diversity of agendas, many natural resource conflicts can be solved and perceptions changed. I support the concepts of CRM and encourage the use of the process to solve natural resource problems. We can set a goal to use the coordinated resource management process as a dynamic, long-term tribute to Earth Day 1996.

I remember as a freshman Member of this body sitting on the Energy and

Natural Resources Committee when someone came before that committee for confirmation. I will not identify him because I do not want to embarrass him. The exchange that occurred between him and the then chairman of the committee, the Senator from Louisiana [Mr. JOHNSTON], speaks for itself and does not need to necessarily be personalized.

In the process of the confirmation hearing, Chairman JOHNSTON said to this man, somewhat startling me, "When you make your decisions on the environment, will you make those decisions on the basis of sound science or superstition?" Well, I sat there as a new member of the committee and thought this is a very easy question to answer. I wondered why the chairman raised it. Then I heard the response from the witness. He started to give all kinds of discussions about considerations that had to be examined and constituencies that should be heard from, and so on. Chairman JOHNSTON interrupted him. He said, "You are not answering my question: When it comes to issues of the environment, will you make your decisions on the basis of sound science or superstition?" The answer came back in the same mode, that there are many constituencies of the Department of Energy and the constituencies have to be heard. A third time Chairman JOHNSTON stopped him and asked the question. "Do not evade it. Give me a direct answer. Will you make your decisions on the basis of sound science or superstition?" For the third time the answer started to come out, and the chairman cut him off, and said, "It is clear that you do not want to answer the question, and we will move on."

I was sufficiently disturbed by that. But when it finally came my turn to question the witness, I said to him, "Do you realize what this Record says as it currently stands? You have been asked three times by the chairman of this committee, a senior member of the Democratic Party, a major figure in the party that controls both Houses of Congress, and the administration, that, 'Will you make your decisions on the basis of sound science or superstition?' and each time you have failed to answer. Unless you do answer that, the Record is going to stand quoting you as saying you do not believe that sound science should rule over superstition when it comes to the environment. Do you really want the Record to show that?" At that point he said to me, "Well, no, Senator, I do not want the Record to show that. Of course we will pay attention to science." I said, "That is the point that gets lost in all of this debate about the environment. We have a number of misconceptions about the environment to make us feel good, and I am delighted that you have finally made it clear that at least in your area under your jurisdiction environmental decisions will be based on sound science instead of response to the superstitions that are going around."



That particular exchange, long since passed into history, has stuck in my mind. I repeat it here on Earth Day because I think that is the crux of the various controversies that we are involved in when we talk about the environment.

Let me address one of the misconceptions that I find as I go around and talk to people about the environment. That is the notion that Nature is perfect, human beings are despoilers, Nature does things in an orderly way, and human beings just mess things up. That, I think, is the misconception that surrounds this whole environmental debate.

I sat in the chair one evening during the debate on the grazing bill, and the senior Senator from Wyoming, Senator SIMPSON, showed us some photographs. I was sufficiently impressed by that. I think we ought to take a look at them again. I brought them along.

It so happens that over 100 years ago, in 1870, a photographer went out in Wyoming and started to take pictures of the magnificent scenery that is available in Wyoming.

Here is the photograph taken on August 12, 1870, of a particular vista in Wyoming. In 1976, a photographer went back to the same spot and took a picture from the same location.

If you will examine the difference, you will see that under wise management by human beings, the grasses are much healthier, the area and vegetation is much lusher. Human beings, instead of despoiling the ground, have in fact improved it.

The Senator from Wyoming had a number of such pictures. I have brought along two of them. Here is another one. Here is the 1870 photograph—pretty barren, pretty bleak. Here is the 1976 photograph, 100 years later—much healthier vegetation, much healthier conditions.

In the debate on the Utah wilderness bill, I produced this photograph for our colleagues to see. This is not 100 years. This is only 50 years. The Escalante River in 1949. You can see how barren this is. After 50 years of wise management in the area, you can see now that this area is revegetated.

I showed this in Utah during the Easter break, and I was attacked by some people who said, "Senator, just because its pretty doesn't mean its wilderness."

They pointed to the lower photograph and said, "That's a violation of nature because," Senator, "you're not smart enough to know this. We are. Some of that vegetation down there is not indigenous to Utah. These trees that ended up here came from outside of Utah. It's a violation of the purity of this wilderness to have Asian species in that area."

I went back to some land managers to ask them about that, and they said, "Yes, there is some tamarisk there. Some of the green vegetation around the river area—you see no vegetation whatever here—some of the green vege-

tation is tamarisk, but most of the vegetation is cottonwood, shrubs, and grasses indigenous to Utah. Tamarisk is not a weed. It is a tree that was imported ironically for soil conservation reasons. The tamarisk was planted to prevent erosion.

Now, if we adopt the notion that everything nature does is perfect and everything we need to do should be geared toward preserving things in their absolutely natural state, we run into a very serious problem. That problem is this: Nature is not constant. Nature changes the face of the land all the time.

Secretary Babbitt has just spent 4 days walking along the C&O Canal to try to raise our awareness of Earth Day. Why the C&O Canal? Because with one storm, nature devastated the C&O Canal. It was all scenic, protected, and preserved, but nature came along and after one storm, with the winter floods the C&O Canal was devastated.

If you go back to my home State of Utah and say we want our land to remain in the condition that nature decreed that it should be, the argument could be made that the entire State should be under water. There was a time—and it can be demonstrated by the geologic features along the benches around the Salt Lake Valley, and throughout the mountains, that Lake Bonneville, as we call it, once covered most of the State of Utah and southern Idaho. It was bigger than any of the Great Lakes—bigger than Lake Michigan or Lake Huron or Lake Superior—it was a huge body of inland water.

Is it not wonderful that nature has created this magnificent, inland, freshwater sea? And then something happened. Nature changed it. One day, in southern Idaho, up by Lone Rock, the lake burst its banks and an outlet to that freshwater sea was created. It started, over the many millennia, to disappear.

What we have remaining in Utah now is another magnificent gift of nature. It is the Great Salt Lake. The salt flats to the west of the lake are the remnants of Lake Bonneville which over the millennia. In that area now you have this unique natural phenomenon called the Bonneville Salt Flats created by nature. If we are going to say that in the name of the environment we must preserve nature as it was, we have to go back to the boundaries of Lake Bonneville and try to find some way to fill it all up with water again because that is what nature once had.

The fact of the matter is—and this is sound science, Mr. President—nature changes. It changes daily. It changes over the years. It changes in ways that are good, and, as the C&O Canal, it changes in ways that are bad.

Our responsibility as proper, sound stewards of the land and environment is to make intelligent decisions and not get carried away with superstition, nor rely on misconceptions as fact.

Mr. COVERDELL. Mr. President, I yield up to 15 minutes to the Senator from Idaho.

The PRESIDING OFFICER (Mr. GREGG). The Senator from Wyoming is recognized.

Mr. KEMPTHORNE. I thank the Chair. I wish to thank the Senator from Georgia very much for his leadership as we debate this issue.

Mr. KEMPTHORNE. Mr. President, today, as we celebrate Earth Day, we should stop to consider our air, the quality of life, and the world we will leave our children. And because of the lessons that he taught that we should pass on to our children, this is the right occasion to look back on the legacy of Teddy Roosevelt, a great Republican, a true conservative, who first taught America the importance of conservation. Under President Roosevelt's stewardship, America first endorsed the wise use of our natural resources, established the National Park System, and preserved for all time the great Yellowstone National Park.

In a message to Congress on December 3, 1907, President Roosevelt said:

To waste, to destroy our natural resources, to skin and exhaust the land instead of using it so as to increase its usefulness, will result in undermining in the days of our children the very prosperity which we ought—by right—to hand down to them amplified and developed.

President Roosevelt's words are as true today as when spoken 90 years ago. We Republicans can be proud of President Roosevelt's heritage, but as a nation we must implement President Roosevelt's vision of leaving our children an environment and an economy better than that which we inherited.

We are all environmentalists. We have to be. Who can be against our life support system? Our own personal experiences make the environment an emotional issue. All of us have great stories of the outdoors.

Being from Idaho, I can tell you that I have had some tremendous trips down the white-water rapids where, as you begin to hear the first roar of the rapids, you are filled with anticipation, and then when you make it through those rapids the exhilaration that you feel camping under the majesty of the canopy of ponderosa pines, with the full moon above.

I know the great splendor of Idaho's Sawtooth Mountains, and I wish to leave my children a legacy of conservation of which they can be proud.

Before coming to the Senate, I served as mayor of Boise, ID. Boise is graced with the Boise River. This river serves many uses. It provides about a third of our drinking water. It serves as a major recreational and fishing amenity, and it provides habitat to many diverse species.

How many cities in America can boast of bald eagles and blue heron just 5 minutes from the center of downtown? Boise is fortunate, but Boise is not unique. From the Puget Sound to the Everglades, this country is blessed with some of the most magnificent natural and scenic treasures on the planet. We are also blessed with the largest

and most vibrant economy on the planet. We must preserve these gifts of economy and environment.

If you have a high-paying job but you live in a community where the air and the water is polluted, weeds and trash have overrun your parks, you do not have quality of life. But conversely, if your community enjoys clean air, clean water, beautiful open spaces, but you do not have a job and you cannot provide for your children, then you do not have quality of life either. So, our challenge is to reach that balance between a clean environment and a sound economy. I believe that we can. In fact, this Senate has already taken major steps to make that happen.

I am proud of the work that we did on the Safe Drinking Water Act reauthorization. Working in a bipartisan way, we passed a bill that is strong on public health protection; in fact, we ought to call it the "safer" drinking water act. It takes into consideration the costs of providing clean and safe water.

The Safe Drinking Water Act should serve as a model for accomplishing sound environmental law. Everyone had a seat at the table and a say in drafting the legislation. The environmental and public health advocates, water utilities, States, cities, counties, businesses, all worked cooperatively on the bill. Republicans and Democrats put aside partisan politics for the good of the Nation.

As a result, the Senate passed the Safe Drinking Water Act 99 to 0, and everyone in this Chamber can be proud of that legislation. That is an example of a bill that improves public health and safety and leads to good quality of life. It is good for the environment, and it is good for our communities.

There were lessons learned during the 10 months we negotiated that bill, and those lessons will serve us well as we look at other environmental issues. One key was the active participation of State and local governments. Who knows better what each community needs, a local leader or a Washington bureaucrat, who quite often has never been to your State or your community? Believe me, as a former local official, I had much more confidence in my city's ability to meet its needs than any orders from Washington, DC.

True, Congress must set national standards, but we should allow local and State governments the flexibility to let those standards work in their specific situations. The only way to do this efficiently and economically is by bringing the local leaders and the State leaders into the process. We should also let local communities solve their problems without the burden of Government redtape.

One example is the Henry's Fork Watershed Council in northeastern Idaho. The council grew out of years of conflict between fly fishermen and irrigators. Each group had what they believed to be legitimate claims to the waters of Henry's Fork system. The

river is a blue-ribbon trout fishery, revered by fly fishermen from across the world for its crystal clear water and trophy rainbow and brown trout. But the farmers in Fremont and Madison Counties need the water from the Island Park Reservoir also. They need the water to irrigate their acres of potatoes and barley. A great number of Idaho's famous potatoes are grown in this region, and those crops help sustain the economy of that part of Idaho.

Finally, after years of fighting, the Fremont-Madison Irrigation District and the Henry's Fork Foundation fly fishermen realized that while they argued, the quality of the resource that they both so desperately needed was deteriorating. So they put aside their differences and they started working together for the common good.

It has worked. Last summer, for example, when the water temperatures soared and threatened the fish, the irrigators voluntarily agreed to release the water from the dam, filling the streambeds with cold water and saving the fish. Before this cooperative agreement, it might have taken weeks of negotiations and miles of redtape before anything was done.

I will add that the Federal Government is a partner in this sort of situation—the U.S. Fish and Wildlife Service, the Forest Service, the Bureau of Reclamation, the Natural Resources Conservation Service. But the key is it was the local parties that got together and found the solution—local people, local solutions.

In another pristine part of Idaho, industry has taken the lead in environmental protection and restoration. Potlatch Corp. has voluntarily set aside valuable forest land along Mica Creek. I have been to that location. I took with me the chairman of the full Environment and Public Works Committee, Senator JOHN CHAFEE. The goal of the Mica Creek project is to establish baseline management data surrounding natural events and conditions. The project is proof that there are so many, many businesses in this great land of ours who want to do the best possible job that they can to protect and even enhance the environment. And just as in the case of Mica Creek, they did not need Government to tell them to do this. They did this on their own, because they know it is the right thing to do.

Local people, local solutions—they can also help with other monumental tasks facing Congress, tasks such as the Endangered Species Act.

There is a growing recognition in this country that the Endangered Species Act must be reformed. Last year I introduced legislation to improve the Endangered Species Act, to make it more effective in recovering species and to make it more fair. Last month I began bipartisan discussion with my colleagues on the Environment and Public Works Committee and the administration with the goal of developing a bill over the next few weeks that

will actually preserve endangered species, improve their habitat while recognizing the legitimate needs of people and making the act work. This is a goal that we can all share.

My view is that too often the interpretation and the implementation of the Endangered Species Act has gone far beyond the original intent. The Endangered Species Act should not be a tool that places entire communities at risk by threatening their economic survival. At the same time, we cannot turn our backs on the efforts to save endangered species.

For now, though, this Endangered Species Act, on its present course of heavy regulation, putting people at risk, is not working. To single out individual communities to carry the full brunt of recovery of an endangered species when the entire national community is the beneficiary is wrong. But to say that the extinction of a species is no big deal and just the luck of the draw of that particular species is also wrong. The extreme entities that would advocate both positions, in all honesty, probably deserve one another, on some remote desert island where the only way they will survive is to help each other.

So, what is right? Should we make concerted efforts to save species? Absolutely. Can we prioritize which species we should make greater efforts towards? We must. Can we do this without undermining private property rights and putting whole communities at risk? We had better, or the outcry against the act will kill it.

Reauthorization of the Endangered Species Act is, without question, one of the most politically polarized issues that we will ever deal with. It may also be one of the most important environmental issues for us and for our children. As lawmakers, we have a duty to rise above the rhetoric. So, let us get real and let us get practical.

A lot has changed since the Endangered Species Act was enacted in 1973. For one thing, scientists have made tremendous advances in every discipline. Biology, botany, genetics, and other sciences are much more sophisticated than they were 23 years ago. But the rules and the regulations of the Endangered Species Act have not changed to keep up with the science. So we need to acknowledge the advances and use them to balance an improved Endangered Species Act.

Untold millions of dollars have been spent to save species with very few results. Of the more than 1,500 species of plants and animals that have been qualified for protection in the 23 years the law has been in effect, only 20 have been removed from the list, either because they have gone extinct or were placed on the list by mistake. Only six can be claimed as successes under the Endangered Species Act, and even they were largely recovered due to the efforts of private conservation groups.

One such group is the Peregrine Fund at the World Center for Birds of Prey in Boise, ID.



The efforts of this private group has led to a proposed delisting of the peregrine falcon. Just 20 years ago, there were only 39 known pairs of peregrine falcons in the lower 48 States. Today, recovery and reintroduction efforts have produced nearly 1,000 pairs. More than 81 percent of the falcons released have reached independence. The success of the Peregrine Fund should be a model for reforming the Endangered Species Act. If at all possible, we want to avoid putting species on the endangered list. We would like to take them off, and the only acceptable way is through recovery. This cooperative effort shows that we can use good science and manage a species early in its decline and bring about these kinds of results. We can recover species, and the work of the Peregrine Fund shows that if Government will provide incentives and then get out of the way, that we can, through innovation and good science, achieve the very results that all of us applaud.

I envision an Endangered Species Act that uses good science, innovation, incentives, and, where necessary, public financial resources to do what we, the stewards of this wonderful land, can do to benefit not only other species but ourselves as well.

I envision an Endangered Species Act that encourages all of us to participate willingly to conserve rare and unique species.

I envision an Endangered Species Act that treats property owners fairly and with consideration and that minimizes the social and economic impact of this law on the lives of citizens.

Working together, we can draft legislation that takes that important step in that direction. We can make the act smarter, and we can make that act better.

I believe that Congress has abdicated its responsibility by not dealing with the Endangered Species Act sooner. I can see why. Advocate change and you are immediately labeled as antienvironmentalist.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KEMPTHORNE. I ask for 2 additional minutes.

Mr. COVERDELL. I grant the Senator from Idaho 2 additional minutes.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. KEMPTHORNE. Mr. President, this should not be a contest to see who is more for the environment. We should all be in favor of a cleaner, safer, healthier America for our children and their children.

I have called myself a probusiness environmentalist. We have been able to strike a balance between development and the environment. A good environment makes good business and, therefore, good business will invest in protecting the environment. Economic growth and quality environment are not mutually exclusive. They, in fact, can and should and must support one another.

With that, Mr. President, I yield back the remainder of my time.

Mr. COVERDELL. Mr. President, at this time, I yield up to 10 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

#### EARTH DAY, 1996: A DIFFERENT SHADE OF GREEN

Mr. GRAMS. Mr. President, on a day set aside to recognize the importance of protecting our environment and preserving our natural resources, I am pleased to join with my colleagues in this frank discussion of the substantial progress we have made and the steps we have yet to take.

But first, it is important to recognize that environmental protection is not a partisan matter. It is not about Republicans or Democrats. This is one issue which should bring us together, because on this issue, we share the same goal: We all want a clean America, where our children can breathe clean air and drink clean water. And there is not a man or woman in this Congress who would demand anything less for their families.

I am so proud, Mr. President, that over the past 20 years, we have made such great strides toward achieving that goal.

Our urban landscapes are no longer polluted by the thick, black smoke of industrial smokestacks. Our lakes and rivers are no longer the dumping ground for toxic sludge. We are recycling newspapers, glass, and plastics in record numbers. Through efforts such as the Conservation Reserve Program, Congress is working in partnership with the American people to ensure our generation leaves behind a cleaner Earth than the one we inherited.

We acknowledge that government at all levels can and should play a strong role in protecting our environment. Maybe that is why the United States spends more per capita on environmental protection than any other Western, industrialized nation.

The question is no longer whether or not we want to protect the environment—we all do. The question is, How do we achieve it?

It is an interesting coincidence that just a week ago, the American people were filing their Federal income tax returns and thinking about Government and how it impacts the family finances.

Today, exactly 1 week after Tax Day, we are marking Earth Day. And once again, the American people have an opportunity to think about Government—this time, its impact on the environment. But in the 26 years since Earth Day was first celebrated, Americans have grown concerned with Washington's environmental activism: What it is doing to jobs and salaries, and the bite it takes out of the family checkbook.

What they are telling us is yes, government ought to protect the environment. But they are also saying it can

do better by the taxpayers, too. And so they have asked this Congress to find a better balance, a "different shade of green" for Earth Day, 1996.

Over the past two decades, the Federal Government has worked toward better environmental protection by passing new legislation and imposing necessary new regulations. But in our zeal to protect the environment, we have often neglected to consider the serious, unintended consequences of the actions we are taking here in Washington.

We have cleaned up neighborhoods by clamping down on pollution, but we have handcuffed job-providers from finding better ways to achieve the same results.

We have sought out and protected wetlands and other unique environmental areas, but we have often commandeered people's land, without compensation, to do it.

We have demanded a great deal of the American people through our environmental regulations, but we have forgotten about the burdensome costs and confusing bureaucracies our vigilance have imposed on everybody.

It is hard to measure the benefits of our well-intentioned, environmental safeguards when these Federal regulations come at such a high cost.

The American people are telling us that Washington has gone too far, especially given the estimates that complying with environmental regulations cost an estimated \$850 billion every year. That is \$850 billion no longer available to pay higher wages and better benefits, and creating new jobs.

Is it possible that the environmental policies of the past have a cost that can be measured in terms greater than just dollars? Could they be costing human lives as well? According to researchers at Harvard University, the answer is yes. Because the government has increasingly focused its precious resources guarding the public against minuscule, theoretical risks, they are ignoring much greater dangers—a situation Dr. John Graham of the Harvard Center for Risk Analysis labels "statistical murder." It is a policy, say researchers, that costs 60,000 lives every year.

In other words, we have spent a lot of our taxpayers' hard-earned money on wasteful and nonproductive programs, rather than spending those dollars on finding a cure for, say, cancer, leukemia, or heart disease.

That kind of micromanagement, undertaken at such a horrible cost, is the wrong approach. No wonder so many average Americans feel they are being victimized by oppressive environmental legislation. In many cases, the Government has caused more damage than it has improved, and our goal should be to balance environmental protection with the need for economic growth as well. We always talk about the best welfare program being a job, but we have unnecessarily lost thousands of jobs because we have ignored

the end result of bad policy. If we are ever going to achieve balance, the solutions will not be dictated from Washington, DC, where layers of bureaucracy and waste cloud every decision. Sensible relief will only be found outside the beltway, by reining in the Federal regulators and giving our constituents the freedom to achieve the environmental goals everyone shares.

The Government can set goals or limits, but we should then step back and let the creative genius of Americans work on the solution in less costly, innovative ways. Expensive, one-size-fits-all dictates from Washington are not the answer, nor is using old technology to treat new problems. If experience has taught us anything over the past 26 years, it is that wisdom and compassion does not flow from the Federal Government.

That has clearly been the lesson of the Superfund program, a classic example of Washington-knows-best gone wrong.

Let us look at the facts.

Mr. President, 25 billion taxpayer dollars have been spent over the past 15 years cleaning up toxic waste sites on Superfund's National Priorities List. Yet as of today, only 12 percent of these sites have actually been cleaned up. Excessive administrative costs and a bloated bureaucracy have eaten away a lot of the money, while billions of dollars have gone to line the pockets of trial lawyers, who continue to delay Superfund's important work. The lawyers are benefiting while the American taxpayers get burned.

The end result? Fewer hazardous sites are being cleaned up and more Americans are being put at risk.

Clearly, the Superfund program is broken. Congress has an opportunity this year to reform Superfund and redirect the taxpayers' dollars away from the bureaucrats and lawyers, and toward meeting the original intent of the law: and that was cleaning up the environment.

The Endangered Species Act is another well-intentioned, but problematic, piece of legislation.

I have always believed the Federal Government can assist landowners in being the best stewards of their lands. But the Endangered Species Act provides an incentive for them to actually harm endangered species.

Under the act, if a landowner is told by the Government that their property is home to an endangered species, they are stripped of their ability to use their own land. Not only are they deprived of that land—and the enjoyment and revenue it might generate—but they are also denied any compensation from the Federal Government.

While that is obviously not the intent of the Endangered Species Act, it has become an unfortunate, perverse byproduct of the legislation.

One way Congress could improve the endangered species legislation is to provide incentives for property owners that would enable them to protect the

environment, instead of forcing them into desperate actions when they've been threatened by Federal bureaucrats.

Mr. President, what is most often lacking in Washington's attempts to improve the environment through regulation is an effort to get the big picture—a scientific approach to assess the various risks, and then direct resources where they can do the most good. Risk assessment and cost-benefit analyses are commonsense approaches undertaken out in the real world, but sorely missing in the Federal Government.

When businesses or individuals make important decisions, they usually perform their own version of a risk assessment. To best serve the taxpayers—who deserve to know what kind of bang their getting for their bucks—Federal agencies ought to be targeting their resources in the same way, eliminating overzealous regulation by asking the Environmental Protection Agency to focus on real solutions to real problems. This will not only free up more funds for financially strapped Federal agencies, but also provide a higher level of environmental and public health protection.

Giving our job creators more flexibility in meeting national standards is another way to eliminate the pervasive command and control approach that has infected many Federal programs. A pilot program called Project XL is proof that these efforts do work.

I have been working on Project XL with the Minnesota Pollution Control Agency, Minnesota-based 3M, and the EPA. This popular program allows participating companies to come up with their own methods to go beyond minimum environmental compliance. Allowing business to best determine how to meet all Federal standards is an innovative idea that should be expanded. As long as those standards are met, the path traveled to reach compliance should be open to experimentation.

And finally, the Federal Government needs to promote a better partnership between all levels of government, job providers, environmental interest groups, and the taxpayers. The most effective way for the Federal Government to play a strong role in protecting the environment is to do it in concert with those closest to the problems. Local solutions, not Washington domination.

That means setting reasonable national standards and giving technical advice to State and local governments and businesses. I have always believed that Minnesota taxpayers and our elected officials in St. Paul are much more aware of local problems and how to solve them than Washington will ever be.

"It is not easy being green," went the lyrics of a popular song from the 1980's. Maybe not, if being green in the 1990's means promoting an environmental agenda that flies in the face of common sense and treats the taxpayers with contempt.

Americans are looking for a different shade of green, Mr. President, an approach to the environment that strengthens the protection of our precious natural resources, promotes better health and safety measures, and helps rein in the exploding regulatory costs that are threatening people's paychecks.

Government does have an important role in ensuring a strong environmental safety net. But we can do better. In closing, Mr. President, by reforming the system and providing balance, we will enhance environmental cleanup and preservation while we protect landowners from undue Government interference, reduce costly, arbitrary regulations, and ultimately, save more lives.

So, Mr. President, on Earth Day, 1996, that is the shade of green this Congress is working to deliver.

I yield the floor.

Mr. COVERDELL. I thank my colleague from Minnesota. I yield up to 10 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. I thank the Chair. And I thank the Senator from Georgia for his effort to organize this group of conversations regarding the protection of our environment.

I noticed from some of the comments that certain Democrats, anyway, I should say, have appeared to take offense that Republicans are actually working to protect the environment, apparently under the belief that Earth Day is a special day for them to demagog and politicize environmental issues. The real purpose of Earth Day is to recognize important work being done to protect our environment.

Today I want to discuss briefly two specific projects undertaken by a broad group of interests in my home State of Arizona that do exactly that.

The first has to do with ranchers in southeast Arizona who are acting as true stewards of the lands for the purpose of protecting the grasslands on which they currently are grazing. Many ranchers are working in harmony with nature not only to earn a living but also to protect the environment upon which they are earning that living. They are using their natural resources in a way that it is meant to be used.

In his forward to Dan Dagget's book called "Beyond the Rangeland Conflict—Toward a West That Works," David Getches, who is chairman of the board of trustees of the Grand Canyon Trust, said of ranchers on the Colorado Plateau—I am quoting—

It's not hard to find ranchers on the plateau who share some of our most heartfelt values. Most want their grandchildren to know a region with a healthy ecosystem and places of wonder, beauty and solitude. And most can understand that economic stability and permanence of communities are intertwined with the permanent health of the surrounding land, water, and wildlife.

Certainly Professor Getches is correct because some of the people who

care the most about the land are those ranchers. I speak specifically of a new group called the Malpai Borderlands Group which is the essence of this commitment for protection. I met with representatives of the Malpai Group over the Easter recess when I was in Douglas, AZ. I was very impressed with the work they are doing as a combined group of ranchers, representatives of environmental groups, Federal agencies, and other people in the community.

The area in which they are working together is an area of thousands of acres in both New Mexico and Arizona which is the home of a great many endangered species and an environment that needs help. The land ownership is about half private and half Federal agency, the Federal lands being the Bureau of Land Management and the Forest Service as well as some State trust land.

But in 1990 this group got together to begin discussing ways of dealing with what they thought was a deteriorating situation, an attack on ranching generally, and also a deteriorating environment. The grasslands, with some shrubs, were moving inexorably to shrub lands with some grass. And this occurred for many reasons. But the principal one was the absence of a very natural element—fire.

For years fire used to sweep through this area every decade or so and, in effect, cleanse it of all of the woody shrubby plants which then promoted very shortly thereafter fresh new grass for the wildlife then to thrive on. But because of the fire suppression that has not occurred in the last 100 years or so, the result is that the grasslands have gradually now become woods where there are shrubby lands that cannot support grazing.

So the agenda of this group was to address both the threat of fragmentation of the landscape—selling off smaller parcels for development—and the decreasing productivity and loss of biological diversity accompanying the encroachment of these woody species on the grasslands.

What they did is form the 501(c)3 organization called the Malpai Borderlands Group with 45 rancher members. And its 19-member board includes local ranchers, a scientist, and a businessman, and, as I said, representatives of various environmental groups. It has a 5-year plan for ecosystem management that targets three key concerns.

First, conservation and land protection, including such things as on-the-ground projects, use of fire, and holding of conservation easements; second, sustaining rural livelihoods, including innovative approaches to grazing, possibly the cooperative marketing of beef, and exploring other opportunities with low impact to the environment; and, third, science and education, including a comprehensive resource inventory of the area.

The Malpai Group has taken an evolutionary, if not revolutionary, ap-

proach to ranching, working with biologists, soil conservation specialists, BLM and Forest Service representatives, and the Nature Conservancy to find ways to keep this area literally a working wilderness.

As I alluded to, reintroducing fire is a crucial element of the Malpai group's plan to restore the range. As a result, they have worked in several experimental areas restoring that element of fire and bringing back the grasslands.

The success of this group, as I said, is really due to a commitment of the landowners. Participation is purely voluntary. The enthusiasm of this group of land stewards is clearly a shining example to those who would like to create such organizations and protect their own areas, working together.

As Bill McDonald, Malpai Borderlands Group president, says of the group: "In a political climate where the traditional position on the issue of land use is usually to be at one end of the spectrum or the other, we find ourselves in the 'radical center.' We invite you to join us right there."

Mr. President, I joined that group just a couple of weeks ago to try to help them clear away some of the bureaucratic underbrush that might prevent them from moving forward with their very important, innovative experimentation.

Now, the second key thing relates to the forests in the arid Southwest. Natural fire is not just a friend of the grasslands but has also helped to maintain the health of our forests over the years. Once again, because of fire suppression and other problems, our forest health has deteriorated because that natural phenomena that used to keep it healthy is no longer part of our management process. Instead, what happens is that because we suppress fire, the fuel in the forests builds up and the growth begins to become very concentrated, with the result that when the fire comes, it burns not only the underbrush as it used to do, thus clearing the forest of the smaller, scrubby kind of plants, but quickly crowns to the top of the trees and literally jumps from tree to tree, devastating entire forests.

The other problem with the forests is the health condition today. Too many trees are crowding into too small an area which then sucks all of the nutrients and the moisture from that area, thus providing a more disease-prone forest. Rather than the open and rather park-like environment that existed 100 years ago, tree densities now make a very unattractive and unhealthy forest. Mr. President, 100 years ago the tree density was typically 20 trees per acre, with most trees of a relatively large diameter. By contrast, the present forest averages about 850 trees per acre, with an average diameter of less than 4 inches. I have three cross sections of trees in my office. One is about this big, one this big, and one is this big. All three trees are 60 years

old, but the big tree exists in the open park-like environment, and the little tree exists in a cramped environment with 850 or 1,000 trees per acre. Obviously, all are competing for the same nutrients and water.

What we need to do is open the forests up. Two professors from Northern Arizona University have begun an ambitious program to do precisely that. Professors Wally Covington and Margaret Moore have begun to use what they call adaptive management techniques to restore the southwestern ponderosa forests to their natural presettlement conditions. Their partners are the Bureau of Land Management, the U.S. Forest Service, and Northern Arizona University. Their work is being supported by Secretary Bruce Babbitt, Secretary Glickman, and others in the region who understand the importance of bringing environmental groups and other persons interested in forest health together to reintroduce some of the natural methods of forest management that have been lacking in recent years, including both the thinning of the small, unhealthy trees and the use of fire to get rid of the brush and the fuel which could, of course, create the fire danger.

In October 1995, these scientists initiated the Southwest forest ecosystem restoration project near Mount Trumbull, AZ. This is roughly a 5,000-acre pilot project in which these new management techniques will be utilized to determine whether or not they can truly restore the health of the forest and whether these management techniques would then be useful throughout the arid Southwest. They will remove the dense, young growth to restore the open forests of large older trees and hope to do ecological sampling that include overstory trees, understory trees, understory shrubs, grasses, wildflowers, and forest floor fuels. Sampling will also extend to birds, mammals, and insect communities.

I saw a pilot project just west of Flagstaff which had only been under experimentation for 2 years, but it is amazing that sap contents of the trees—which did not mean anything to me before I heard about it—had grown by an order of magnitude in just 2 years, thus making the tree almost impervious to bark beetles.

Mr. COVERDELL. Mr. President, we worked with the other side. We have another speaker. I ask unanimous consent our time be expanded by 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COVERDELL. Mr. President, I yield 2 additional minutes to the Senator from Arizona.

Mr. KYL. I see the majority leader is here.

Just increasing the sap content of the trees makes them more impervious to beetles, and thus disease, thereby creating more nutrients in the grasses because the forest has opened up. Wildlife needs less grass because the protein

content has quadrupled. There are so many benefits to this kind of management that it is clear we need to expand it to broader sectors of our forest environment.

The point is there are innovative things being done to protect our fragile environment, with land stewards and environment groups and others all working together. These two examples I have discussed today show that through this kind of cooperation and innovation, we can truly protect the environment in a very bipartisan and cooperative way.

I commend these two experiments to my colleagues.

Mr. COVERDELL. Mr. President, I compliment the Senator from Arizona on his remarks.

I yield up to 10 minutes to the Senator from New Hampshire.

Mr. SMITH. Mr. President, I thank the Senator from Georgia for yielding.

As we celebrate the 26th anniversary of Earth Day, Americans will again have an opportunity to reflect on many of our past environment successes and, frankly, some shortcomings, which I hope we will be able to address. We should also take this opportunity to set a course to correct any past failures regarding the protection and restoration of our precious environment, as well as dwelling and focusing on those that have been successful.

Let me, as many of my colleagues before me have done, set the record straight once again, Mr. President. We are all environmentalists here in the Senate. I think most of us would call ourselves environmentalists in the United States of America as citizens. This is a beautiful country. It is home to all of us. The environment is not a Democratic issue. It is not a Republican issue. It should be a bipartisan issue. I very frankly and honestly, as one who has worked for the past 2 years on the Superfund bill, take great issue with those who would somehow accuse me or anyone else in my party of being antienvironment. Yet that is happening.

Unfortunately, the political environment has become so partisan during this Congress that it is almost outrageous. My children, I think, would like to drink clean water. I certainly recognize the fact that President Clinton's daughter might like to drink clean water. I hope you will recognize that my two sons and my daughter would like to drink clean water as well.

My family breathes the same air as Vice President GORE and his family and the President and his family. I have enjoyed fishing and hiking in the trails and ponds and lakes and streams of New Hampshire, probably some of the same lakes and streams that some of the people in the administration have. We are very proud of the fact that in northern New Hampshire we have the great northern forests which are protected by landowners, as well as the Federal Government. But landowners take good care of that land and have

been good stewards. We are very proud of what they have done to protect that land.

I think most of the environmental laws on the books today were initiated—not just signed; were not vetoed, certainly—but were initiated by Republican Presidents—Theodore Roosevelt, George Bush, Richard Nixon, to name just a few. They have very strong environmental protection records. Our National Park System was started under President Theodore Roosevelt. The EPA was started under Richard Nixon. The Clean Air Act amendments and the Oil Pollution Act were under George Bush. They were all initiated under Republican administrations. Yes, the Congress, many Democrats in Congress, sent those bills to the President's desk. My point is it is a bipartisan matter, and these bills were signed.

One statute, though, I have been involved in stands out as one of the least effective. That is a bill called Superfund. Mr. President, \$30 billion has been spent over 15 years to clean up 50 sites. If you do the math on that, it does not work out very well. I have devoted many hours on developing appropriate reforms to this failed program. Our goal is to change this program from one of litigation and wasted resources and delay to one that actually cleans up hazardous sites expeditiously.

While Republicans and Democrats agree on the need for reform, there is still some disagreement on how to get there. One of the basic problems with the current Superfund Program is that it is more focused on process than results, more focused on litigation and arguing than on getting results.

I issue a challenge now to my Democrat colleagues on the other side of the aisle and say that we are ready—Majority Leader DOLE is ready, I am ready, and Senator CHAFEE is ready to get a bipartisan Superfund bill and put it on the President's desk. I challenge my colleagues not to play politics with this bill and help us get it there.

A number of environmental laws are long overdue. For 3 years, I have been involved in efforts to reauthorize the Safe Drinking Water Act as was Senators CHAFEE, KEMPTHORNE, and others. The vote was 99 to 0. I find it hard to believe that we can be accused of being antienvironment.

There is no doubt that the environmental movement in the 1970's served an important purpose. Our air and water are cleaner today and continue to improve. Now is the time to reflect on the successes and build upon them and address some of the failures, so that we can get more bang for the buck. Let us face it, many of the things that have been done to clean up the environment have been done, but pollution controls from this point forward will be very expensive. We need to be able to pick and choose the best technology and be up to speed on that. Carol Browner, the EPA Administrator, said, "We need to develop better, smarter, cheaper regulations."

I could not agree more. Is the environment getting cleaner? Yes, thanks to a lot of bipartisan leadership over a lot of years. Are there less expensive efforts to achieve the same or higher level of protection? I think the answer is yes. I think we have an obligation to look at those least expensive methods, and one condition is that it does not detract in any way from the pace of cleanup of the environment.

To what degree should the Federal Government mandate regulations on States and local communities without providing adequate resources to comply? That is another question we need to ask. But there are a number of themes that my Republican colleagues and I believe should be the foundation for effective improvements in current environmental law. One should be that we ought to promote sound, effective market-based environmental regulations, because when you bring the market in, you save the taxpayers money and you bring the businesses in as a partnership. Therefore, since they are responsible for some of the problems, they are willing to help us clean them up. We must recognize that States and local communities often do a better job of protecting the environment within their borders than the Federal Government can. So, partners, not enemies.

We must incorporate better risk management and cost-benefit analysis in our environmental regulations that will enable us to prioritize our goals. We must base our environmental decisions on the highest quality, peer-reviewed science, not questionable, unreliable data and unfair politics. Finally, and most important, our goal is to enhance, not detract from, a cleaner environment, to enhance it. That is our goal, not just to save dollars for the sake of saving dollars. If it detracts from our environment, then we spend the money. And if we can spend less and do more and accelerate the pace, why not do it? We have an obligation to do that.

I ask my colleagues to take a look at that and realize that just because we say we can do it better, not less efficiently, that does not necessarily mean it is negative. We all want a clean, healthy environment to pass on to future generations. It is one of our most important responsibilities.

However, the American people also believe we need to reduce Government waste and bureaucracy, to update environmental programs, to address problems more effectively and allow American business to remain more competitive. If we can do all of those things and enhance the environment, we ought to do it.

My Republican colleagues and I are trying to accomplish these goals. We consider such things as cost benefits and risks and rewards not as trivial, but as very important. We must strive to prioritize risk reduction and get the biggest bang for the buck in every American program. That is just common sense.

Environmental policy is at a crossroads, Mr. President. We have a historic opportunity to improve our environmental laws so that they better serve the American people. That is not to say that we have failed in the past. We have many, many, many successes, including the Merrimack River in my State, which is now beginning to see fish and recreation again. It should not be controversial. We all live on this planet, and we should be working together on this. If there is anything we ought not to be partisan about, it ought to be the environment.

I will close on this point. This week, as Earth Day commences, the Senate Environment and Public Works Committee begins hearings on a Superfund bill. During the Earth Day festivities, Americans will be presented with a number of conflicting images of what is good for the environment and what is not. It is my hope that the President and Members of Congress, as I said earlier, will rise above the urge to exploit this event for short-term political gain and join our efforts to inject common sense and fairness into the Nation's Superfund Program, which is the one program which I happen to be involved in because I chair the subcommittee.

So, Mr. President, at this point, I yield the floor and thank my colleagues, and I thank the Senator from Georgia for the opportunity to speak on this very important issue.

Mr. COVERDELL. How much time remains, Mr. President?

The PRESIDING OFFICER. One minute remains.

Mr. COVERDELL. I thank all of the Senators who came to the floor to honor Earth Day and to talk in very meaningful terms about how to manage our environment. This legislation, wherever it falls in the environment, should be guided by a working relationship between the Government and the stewards of the land. In too many cases, recently, we are seeing the Government taking on the form of arrogance. We have threatened the constitutional rights of personal property. That is a very high law, the Constitution. If it becomes public policy to take interests of private property owners, the public will have to assume the responsibility for that. That has to be a working partnership. We have to protect our constitutional rights. We must learn to work together on this legislation. We have heard words like partnership, balance, working together, common ground, nonpartisan. This is the answer to our modern environment.

I appreciate the Senate's time this afternoon, and I yield back whatever seconds are remaining.